Patent claims

1. (currently amended)A shoe upper comprising~~having~~:

a ~~bottom~~lower end of the upper,

an outer material with a ~~bottom~~lower end ~~(19)~~ of the outer material,~~;~~

a waterproof functional layer ~~(16)~~, which has a ~~bottom~~lower end region of the functional layer with a functional layer zone ~~(20)~~ not covered by outer material,~~;~~

a ~~joining strip~~connecting band ~~(17)~~, which ~~runs in the peripheral direction~~extends in the direction of the periphery of the upper, and which has a connecting band upper~~top~~ longitudinal side ~~(23) of the joining strip~~, joined to the end ~~(19)~~ of the outer material, and a connecting band ~~bottom~~lower longitudinal side ~~(25) of the joining strip~~, and which at least partially overlaps the functional layer zone ~~(20)~~ and which consists of liquefiable sealing material or of material through which liquid sealing material ~~(37; 41)~~ can flow,~~;~~

wherein at points of curvature of the lower end of the upper the connecting band extends in an arc corresponding to the local radius of curvature, with the two longitudinal sides of the connecting band having different degrees of curvature, in such a way that, for an arc sector lying in the respective curvature, with a predetermined unitary sector angle, the arc lengths of the two longitudinal connecting band sides belonging to this arc sector differ from each other the more, the greater the curvature of

the respective arc sector is~~the joining strip (17) having at points of curvature of the bottom end (19) of the outer material an arcuate shape corresponding to the local radius of curvature, with different degrees of curvature of the two longitudinal sides (23, 25) of the joining strip, in such a way that, for an arc sector lying in the respective curvature, with a predetermined unitary sector angle, the arc lengths belonging to this arc sector of the two longitudinal sides (23) of the joining strip differ from each other all the more the greater the curvature in the arc sector respectively being considered~~.

2. (currently amended) The shoe upper as claimed in claim 1, ~~in which~~wherein the ~~bottom~~lower longitudinal side ~~(25)~~ of the ~~joining strip~~connecting band is joined to the functional layer ~~(16)~~.

3. (currently amended) The shoe upper as claimed in claim 1, ~~in which~~wherein a region of the ~~joining strip~~connecting band ~~(17)~~ located between the two longitudinal sides ~~(23, 25)~~ of the ~~joining strip~~connecting band is joined to the functional layer ~~(16)~~.

4. (currently amended) The shoe upper as claimed in ~~one of~~ claim~~s~~ 1 ~~to 3~~, with a lining arranged on the inner side of the functional layer ~~(16)~~.

5. (currently amended) The shoe upper as claimed in claim 4, ~~in which~~wherein the functional layer ~~(16)~~ and the lining ~~(18)~~ are equally long in the ~~bottom~~lower end region of the upper.

6. (currently amended) The shoe upper as claimed in claim 5, ~~in which~~wherein the functional layer

~~(16)~~ and the lining ~~(18)~~ end above the ~~bottom~~lower longitudinal side ~~(25)~~ of the ~~joining strip~~connecting band.

7. (currently amended) The shoe upper as claimed in claim 6, ~~in which~~wherein the functional layer ~~(16)~~ and the lining ~~(18)~~ end above the ~~bottom~~lower longitudinal side ~~(25)~~ of the ~~joining strip~~connecting band and are extended~~lengthened~~ by a second ~~joining strip~~connecting band ~~(34)~~ in the direction of the ~~bottom~~lower end of the upper.

8. (currently amended) The shoe upper as claimed in claim 7, ~~in which~~wherein the second ~~joining strip~~connecting band ~~(34)~~ consists of liquefiable sealing material or of material through which liquid sealing material ~~(37; 41)~~ can flow and wherein at points of curvature of the lower end of the upper the second connecting band extends in an arc corresponding to the local radius of curvature, with the two longitudinal sides of the connecting band having different degrees of curvature, in such a way that, for an arc sector lying in the respective curvature, with a predetermined unitary sector angle, the arc lengths of the two longitudinal connecting band sides belonging to this arc sector differ from each other the more, the greater the curvature of the respective arc sector is.

~~has at points of curvature of the bottom end of the upper an arcuate shape corresponding to the local radius of curvature, with different degrees of curvature of its two longitudinal sides of the joining strip, in such a way that, for an arc sector lying in the respective curvature, with a predetermined unitary sector angle, the arc lengths belonging to this arc sector of the two~~

~~longitudinal sides (36, 38) of the second joining strip (34) differ from each other all the more the greater the curvature in the arc sector respectively being considered.~~

9. (currently amended) The shoe upper as claimed in claim 7~~, or 8,~~ ~~in which~~wherein a ~~bottom~~lower longitudinal side ~~(38)~~ of the second ~~joining strip~~connecting band ~~(34)~~ is joined to the ~~bottom~~lower longitudinal side ~~(25)~~ of the first ~~joining strip~~connecting band ~~(17)~~.

10. (currently amended) The shoe upper as claimed in claim 4, ~~in which~~wherein the ~~bottom~~lower end of the lining is longer than the ~~bottom~~lower end of the functional layer.

11. (currently amended) The shoe upper as claimed in claim 10, ~~in which~~wherein the ~~bottom~~lower end of the lining is joined to the ~~bottom~~lower longitudinal side ~~(25)~~ of the first ~~joining strip~~connecting band ~~(17)~~.

12. (currently amended) The shoe upper as claimed in claim 10~~ or 11~~, ~~in which~~wherein the functional layer ~~(16)~~ and the lining ~~(18)~~ are parts of a laminate and the ~~bottom~~lower end of the functional layer is shortened with respect to~~in comparison with~~ the ~~bottom~~lower end of the lining by paring ~~of the functional layer (16)~~.

13. (currently amended) The shoe upper as claimed in ~~one of~~ claim~~s~~ 1 ~~to 12~~, with an insole ~~(33)~~ joined to the ~~bottom~~lower end of the upper.

14. (currently amended) The shoe upper as claimed in claim 13, the insole ~~(33)~~ being joined to the

~~bottom~~lower longitudinal side ~~(25)~~ of the first ~~joining strip~~connecting band ~~(17)~~.

15. (currently amended) The shoe upper as claimed in claim 13 ~~or 14 in conjunction with one of claims 7 to 9, th~~, the insole ~~(33)~~ being joined to the ~~bottom~~lower longitudinal side of both the first and the second ~~joining strip~~connecting band ~~(34)~~.

16. (currently amended) The shoe upper as claimed in claim 13 ~~or 14 in conjunction with one of claims 10 to 12~~, the insole ~~(33)~~ being joined to the ~~bottom~~lower end of the lining.

17. (currently amended) The shoe upper as claimed in ~~one of~~ claim~~s~~ 1 ~~to 16~~, ~~in which~~wherein, at points of the ~~bottom~~lower end of the upper with convex curvature, the arc length of the ~~top~~upper longitudinal side ~~(23)~~ of the first ~~joining strip~~connecting band ~~(17)~~ is longer than the arc length of the ~~bottom~~lower longitudinal side of said ~~joining strip~~connecting band.

18. (currently amended) The shoe upper as claimed in ~~one of~~ claim~~s~~ 1 ~~to 17~~, ~~in which~~wherein, at points of the ~~bottom~~lower end of the upper with concave curvature, the arc length of the ~~bottom~~lower longitudinal side ~~(25)~~ of the first ~~joining strip~~connecting band ~~(17)~~ is longer than the arc length of the ~~top~~upper longitudinal side of said ~~joining strip~~connecting band.

19. (currently amended) The shoe upper as claimed in ~~one of~~ claim~~s~~ 1 ~~to 18 in conjunction with claim 8 or 9~~, ~~in which~~wherein, at points of the ~~bottom~~lower end of the upper with convex curvature, the arc length of the ~~top~~upper longitudinal side ~~(23)~~ of the second ~~joining~~

~~strip~~connecting band ~~(34)~~ is longer than the arc length of the ~~bottom~~lower longitudinal side of said ~~joining strip~~connecting band.

20. (currently amended) The shoe upper as claimed in ~~one of~~ claim~~s~~ 1~~ to 19 in conjunction with one of claims 7 to 9~~, ~~in which~~wherein, at points of the ~~bottom~~lower end of the upper with concave curvature, the arc length of the ~~bottom~~lower longitudinal side of the second ~~joining strip~~connecting band ~~(34)~~ is longer than the ~~top~~upper longitudinal side of said ~~joining strip~~connecting band.

21. (currently amended) The shoe upper as claimed in ~~one of~~ claim~~s~~ 1~~ to 20~~, ~~in which~~wherein the functional layer zone ~~(20)~~ not covered by outer material ~~(13)~~ is formed by an overhang of the end region ~~(21)~~ of the functional layer with respect to the end ~~(19)~~ of the outer material.

22. (currently amended) The shoe upper as claimed in ~~one of~~ claim~~s~~ 1~~ to 21~~, ~~in which~~wherein the ~~bottom~~lower longitudinal side ~~(25)~~ of the first ~~joining strip~~connecting band ~~(17)~~ is joined to a ~~bottom~~lower ~~border~~edge of the functional layer.

23. (currently amended) The shoe upper as claimed in ~~one of~~ claim~~s~~ 1~~ to 22~~, with a substantially rigid ~~joining strip~~connecting band ~~(17)~~, ~~in which~~wherein the differences in arc length, dependent on the respective arc curvature, of the two longitudinal sides ~~(23, 25)~~ of the ~~joining strip~~connecting band are incorporated correspondingly into the band at the production stage~~incorporated by corresponding production~~.

24. (currently amended) The shoe upper as claimed in claim 23, with a punched ~~joining strip~~connecting band ~~(17)~~.

25. (currently amended) The shoe upper as claimed in claim 23, with an injection-molded ~~joining strip~~connecting band ~~(17)~~.

26. (currently amended) The shoe upper as claimed in ~~one of~~ claim~~s~~ 1~~ to 22~~, with an elastically exten~~sible~~extendible ~~joining strip~~connecting band ~~(17)~~, which is joined on at least one of its longitudinal sides ~~(23, 25)~~ to the associated material while being subjected to~~under~~ longitudinal tensile ~~prestress~~pre-stress.

27. (currently amended) The shoe upper as claimed in ~~one of~~ claim~~s~~ 1~~ to 22~~, with a deformable ~~joining strip~~connecting band, which is joined on at least one of its longitudinal sides ~~(23, 25)~~ to the associated material while being subjected to~~under~~ longitudinal tensile ~~prestress~~pre-stress leading to plastic deformation.

28. (currently amended) The shoe upper as claimed in ~~one of~~ claim~~s~~ 1~~ to 22, 26 and 27, in which~~wherein the ~~joining strip~~connecting band ~~(17)~~ is joined on its ~~bottom~~lower longitudinal side to the associated material ~~under~~while being subjected to longitudinal tensile ~~prestress~~pre-stress.

29. (currently amended) The shoe upper as claimed in ~~one of~~ claim~~s~~ 1~~ to 28~~, ~~in which~~wherein the first longitudinal side ~~(23)~~ of the ~~joining strip~~connecting band ~~(17)~~ is sewn to the end ~~(19)~~ of the outer material.

30. (currently amended) The shoe upper as claimed in ~~one of~~ claim~~s~~ 1~~ to 29~~, ~~in which~~wherein the ~~bottom~~lower longitudinal side ~~(25)~~ of the ~~joining strip~~connecting band ~~(17)~~ is sewn to the functional layer~~ (16)~~.

31. (currently amended) The shoe upper as claimed in ~~one of~~ claim~~s~~ 1~~ to 30~~, wherein the ~~joining strip~~connecting band ~~(17) of which~~ is non-porous.

32. (currently amended) The shoe upper as claimed in claim 31, wherein the ~~joining strip~~connecting band ~~(17) of which~~ is constructed with a sealing material ~~(37)~~ which can be activated by means of activation energy, selected from the forms of energy thermal energy, high-frequency energy, infrared energy and UV energy, into a temporarily liquid state.

33. (currently amended) The shoe upper as claimed in claim 31 for footwear with a molded-on sole, wherein the ~~joining strip~~connecting band ~~(17) of which~~ consists of a material which can be melted by hot-liquid sole material ~~which is hot-liquid~~ during the molding-on of the sole.

34. (currently amended) The shoe upper as claimed in ~~one of cl~~claim~~s~~ 31~~ to 33~~, wherein the ~~joining strip~~connecting band ~~(17) of which~~ is formed by a polyurethane strip.

35. (currently amended) The shoe upper as claimed in ~~one of~~ claim~~s~~ 1~~ to 30~~, wherein the ~~joining strip~~connecting band ~~(17) of which~~ is porous in such a way that it can be penetrated by liquid sealing material ~~(37; 41)~~.

36. (currently amended) The shoe upper as claimed in claim 35, wherein the ~~joining strip~~connecting band ~~(17) of which~~ is formed by a ~~gauze strip~~net band, which has an ~~top~~upper ~~—~~longitudinal web ~~(23)~~ on its ~~top~~upper longitudinal side and a ~~bottom~~lower longitudinal web ~~(25)~~ on its ~~bottom~~lower longitudinal side, which webs are joined to each other by means of transverse webs ~~(27)~~.

37. (currently amended) The shoe upper as claimed in claim 36, wherein~~in which~~ at least the ~~bottom~~lower longitudinal web ~~(25)~~ is constructed using~~with~~ elastically compliant material.

38. (currently amended) The shoe upper as claimed in claim 36 ~~or 37~~, wherein~~in which~~ the transverse webs ~~(27)~~ are constructed using~~with~~ non-elastic material.

39. (currently amended) The shoe upper as claimed in ~~one of~~ claim~~s~~ 36 ~~to 38~~, wherein~~in which~~ the ~~gauze strip~~net band is woven, and wherein longitudinal threads, serving as warp threads, of which at least some are elastic, at least with regard to the ~~top~~upper longitudinal web ~~(23)~~, are~~being~~ present only in the regions of the longitudinal webs ~~(23, 25)~~, and the transverse webs ~~(27)~~ are~~being~~ formed by weft threads.

40. (currently amended) The shoe upper as claimed in ~~one of c~~claim~~s~~ 1 ~~to 12 and 17 to 39~~, wherein~~in which~~ the ~~bottom~~lower longitudinal side ~~(25)~~ of the first ~~joining strip~~connecting band ~~(17)~~ is joined to a string-lasting tunnel ~~(47)~~, ~~arranged in which~~wherein ~~is~~ a lashing string is arranged ~~(49)~~, which is longitudinally movable in relation to the string-lasting tunnel ~~(47)~~ and whose~~by the~~

lashing together ~~of which~~tautens the ~~bottom~~lower end region of the upper ~~is tensioned~~ in the inward direction in such a way that the ~~bottom~~lower end region of the upper with the ~~joining strip~~connecting band ~~(17) run~~extend in the direction of the extent of an outsole ~~(41)~~ still to be applied.

41. (currently amended) The shoe upper as claimed in claim 40, wherein~~in which~~ the ~~bottom~~lower end of the functional layer or the ~~bottom~~lower end of the lining or the ~~bottom~~lower longitudinal side ~~(38)~~ of the second ~~joining strip~~connecting band ~~(34)~~ is joined to a string-lasting tunnel ~~(47)~~, ~~arranged in which~~wherein ~~is~~ a lashing string ~~(49)~~ is arranged, which is longitudinally movable in relation to the string-lasting tunnel ~~(47)~~.

42. (currently amended) The shoe upper as claimed in claim 41, wherein~~in which~~ the ~~bottom~~lower longitudinal side ~~(25)~~ of the first ~~joining strip~~connecting band ~~(17)~~ and the ~~bottom~~lower end of the functional layer or the ~~bottom~~lower end of the lining or the ~~bottom~~lower longitudinal side ~~(38)~~ of the second ~~joining strip~~connecting band ~~(34)~~ are joined to one and the same string-lasting tunnel ~~(47)~~.

43. (currently amended) The shoe upper as claimed in ~~one of~~ claim~~s~~ 1 ~~to 42~~, wherein the functional layer ~~(16) of which~~ is water-vapor-permeable.

44. (currently amended) The shoe upper as claimed in claim 43, wherein the functional layer ~~(16) of which~~ has a layer of microporous PTFE.

45. (currently amended) The shoe upper as claimed in ~~one of~~ claim~~s~~ 26 ~~to 44~~, wherein the ~~joining~~

~~strip~~connecting band ~~(17) of which~~ has an ~~extensibility~~extendibility of at least 20%.

46. (currently amended) Footwear with a shoe upper as claimed in ~~one of c~~claim~~s~~ ~~1 to 45~~.

47. (currently amended) The footwear as claimed in claim 46, further comprising~~with~~ a sealing material ~~(37; 41)~~, which seals the functional layer zone ~~(20)~~ in a waterproof manner in a sealing material zone that ~~run~~extends ~~around~~ in the peripheral direction of the ~~bottom~~lower end of the upper.

48. (currently amended) The footwear as claimed in claim 47, further comprising ~~with~~ a molded-on sole, whose ~~the~~ sealing material ~~of which~~ is formed by sole material ~~(41)~~ which is liquid during the molding-on of the sole and, which by penetrating through the porous first ~~joining strip~~connecting band ~~(17)~~, seals in a waterproof manner at least part of the width of the functional layer zone ~~(20)~~.

49. (currently amended) The footwear as claimed in claim 47, wherein the sealing material ~~(37) of which~~ is formed by adhesive which leads to waterproofness in the cured state and~~,~~ which, by penetrating through the porous first ~~joining strip~~connecting band ~~(17)~~, seals in a waterproof manner at least part of the width of the functional layer zone ~~(20)~~.

50. (currently amended) The footwear as claimed in claim 49, wherein~~with~~ the sealing material comprises ~~(37) in the form of~~ reactive hot-melt adhesive, which leads to waterproofness in the fully reacted state.

51. (currently amended) The footwear as claimed in ~~one of~~ claim~~s~~ 46~~ to 50~~, further comprising~~with~~ an insole~~ (33)~~, the ~~bottom~~lower end of the upper and the functional layer zone~~ (20)~~ ~~running~~extend in the direction of the extent of the insole~~ (33)~~.

52. (currently amended) The footwear as claimed in claim 51, wherein~~in which~~ the insole~~ (33)~~ is joined to the functional layer~~ (16)~~ and the ~~bottom~~lower longitudinal side of the first ~~joining strip~~connecting band ~~(17)~~ by means of a Strobel seam~~ (35)~~.

53. (currently amended) The footwear as claimed in claim 51, wherein~~in which~~ the ~~bottom~~lower end of the upper is lasted by means of lasting cement ~~(45)~~ onto a ~~bottom~~lower peripheral edge~~border~~ of the insole~~ (33)~~.

54. (currently amended) The footwear as claimed in ~~one of~~ claim~~s~~ 46~~ to 53~~, further comprising~~with~~ a sheet-like waterproof sealing layer, which is applied to the underside of the ~~bottom~~lower end of the upper such that it extends parallel to a still to be applied sole~~ (41)~~ in such a way that a ~~bottom~~lower opening of the upper is sealed as far as the sealing material zone.

55. (currently amended) The footwear as claimed in claim 54, wherein~~in which~~ the sealing layer is formed by a sealing sheet~~ (39)~~, which is cemented onto the underside of the insole.

56. (currently amended) The footwear as claimed in claim 55, wherein the sealing sheet~~ (39) of which~~ has a waterproof functional layer~~ (16)~~.

57. (currently amended) A process for producing a shoe upper, which comprises~~is constructed with~~ an outer material~~ (13)~~ and a waterproof functional layer,~~ (16)~~ arranged on the inner side of the outer material,~~ (13)~~ with the upper having~~and has~~ a ~~bottom~~lower end~~ of the upper~~, comprising ~~with~~ the ~~following production~~ steps:

providing an outer~~-~~ material piece cut in the form of the upper~~ is provided~~;

providing a functional-layer piece cut in the shape~~form~~ of the shoe upper~~ is provided, cut~~ in such a way that a ~~bottom~~lower end region of the functional-layer piece has a functional layer zone~~ (20)~~ that is not covered by the outer material~~ (13)~~ after the functional-layer piece has been arranged in the correct position on the inner side of the outer-material piece;

joining the ~~bottom~~lower ~~border~~edge of the outer-material piece ~~is joined~~ across~~over~~ its entire periphery to an ~~top~~upper longitudinal side~~ (23)~~ of a ~~joining strip~~connecting band~~ (17)~~ consisting of liquefiable sealing material or of material through which liquid sealing material~~ (37; 41)~~ can flow;

providing the ~~joining strip~~connecting band,~~ (17)~~ ~~being provided~~ at points of curvature of the ~~bottom~~lower end of the upper with an arcuate shape corresponding to the local radius of curvature, with different degrees of curvature of the two longitudinal sides~~ (23, 25)~~ of the ~~joining strip~~connecting band, in such a way that, for an arc sector lying in the respective curvature, with a predetermined unitary sector angle, the arc lengths of the two longitudinal

connecting band sides belonging to this arc sector ~~of the two longitudinal sides (23, 25) of the joining strip~~ differ from each other ~~all~~ the more the greater the curvature of ~~in~~ the arc sector is ~~respectively being considered~~.

58. (currently amended) The process as claimed in claim 57, wherein ~~in which the~~ the ~~bottom~~lower longitudinal side ~~(25)~~ of the ~~joining strip~~connecting band is joined to the functional layer ~~(16)~~.

59. (currently amended) The process as claimed in claim 57, wherein ~~which~~ a region of the ~~joining strip~~connecting band ~~(17)~~ located between the two longitudinal sides ~~(23, 25)~~ of the ~~joining strip~~connecting band is joined to the functional layer ~~(16)~~.

60. (currently amended) The process as claimed in ~~one of~~ claim~~s~~ 57 ~~to 59~~, wherein ~~which~~ a lining ~~(18)~~ is arranged on the inner side of the functional layer ~~(16)~~.

61. (currently amended) The process as claimed in claim 60, wherein ~~which~~ the functional layer ~~(16)~~ and the lining ~~(18)~~ are cut ~~made~~ to equal~~ly~~ lengths ~~long~~ at the ~~bottom~~lower end of the upper.

62. (currently amended) The process as claimed in claim 61, wherein ~~which~~ the functional layer ~~(16)~~ and the lining ~~(18)~~ are made to end above the ~~bottom~~lower longitudinal side ~~(25)~~ of the ~~joining strip~~connecting band.

63. (currently amended) The process as claimed in claim 62, wherein ~~which~~ the functional layer ~~(16)~~ and the lining ~~(18)~~ are ~~lengthen~~extended by a

second ~~joining strip~~connecting band ~~(34)~~ in the direction of the ~~bottom~~lower end of the upper.

64. (currently amended) The process as claimed in claim 63, wherein ~~which~~ a second ~~joining strip~~connecting band ~~(34)~~ consisting of liquefiable sealing material or of material through which liquid sealing material ~~(37, 41)~~ can flow is used and has at points of curvature of the ~~bottom~~lower end of the upper an arcuate shape corresponding to the local radius of curvature, with different degrees of curvature of the~~its~~ two longitudinal sides ~~(36, 38)~~ of the ~~joining strip~~connecting band, in such a way that, for an arc sector lying in the respective curvature, with a predetermined unitary sector angle, the arc lengths of the two longitudinal sides of the second connecting band belonging to this arc sector ~~of the two longitudinal sides (36, 38) of the second joining strip (34)~~ differ from each other ~~all~~ the more, the greater the curvature in the arc sector is~~respectively being considered~~.

65. (currently amended) The process as claimed in claim 63 ~~or 64~~, wherein ~~which~~ a ~~bottom~~lower longitudinal side ~~(38)~~ of the second ~~joining strip~~connecting band ~~(34)~~ is joined to the ~~bottom~~lower longitudinal side ~~(25)~~ of the first ~~joining strip~~connecting band ~~(17)~~.

66. (currently amended) The process as claimed in claim 60, ~~in which~~wherein the ~~bottom~~lower end of the lining is made longer than the ~~bottom~~lower end of the functional layer.

67. (currently amended) The process as claimed in claim 66, ~~in which~~wherein the ~~bottom~~lower end of

the lining is joined to the ~~bottom~~lower longitudinal side ~~(25)~~ of the first ~~joining strip~~connecting band ~~(17)~~.

68. (currently amended) The process as claimed in claim 66 ~~or 67~~, ~~in which~~wherein a laminate comprising the functional layer ~~(16)~~ and the lining ~~(18)~~ is used and the ~~bottom~~lower end of the functional layer is shortened with respect to ~~in comparison with~~ the ~~bottom~~lower end of the lining by paring of the functional layer ~~(16)~~.

69. (currently amended) The process as claimed in ~~one of~~ claim~~s~~ 57 ~~to 68~~, ~~in which~~wherein the ~~bottom~~lower end of the upper is is joined to an insole ~~(33)~~.

70. (currently amended) The process as claimed in claim 69, ~~in which~~wherein the insole ~~(33)~~ is joined to the ~~bottom~~lower longitudinal side ~~(25)~~ of the first ~~joining strip~~connecting band ~~(17)~~.

71. (currently amended) The process as claimed in claim 69 ~~or 70 in conjunction with one of claims 64 to 66~~, ~~in which~~wherein the insole ~~(33)~~ is joined to the ~~bottom~~lower longitudinal side of both the first and the second ~~joining strip~~connecting band ~~(34)~~.

72. (currently amended) The process as claimed in claim 70 ~~or 71 in conjunction with one of claims 66 to 68~~, ~~in which~~wherein the insole ~~(33)~~ is joined to the ~~bottom~~lower end of the lining.

73. (currently amended) The process as claimed in ~~one of~~ claim~~s~~ 57 ~~to 72~~, ~~in which~~wherein the arc length of the upper longitudinal side of the connecting band is made longer than the arc

length of the lower longitudinal side of the connecting band~~,~~ at points of the ~~bottom~~lower end of the upper with convex curvature~~, the arc length of the top longitudinal side (23) of the joining strip is made longer than the arc length of the bottom longitudinal side (25) of the joining strip~~.

74. (currently amended) The process as claimed in ~~one of~~ claim~~s~~ 57~~ to 74~~, ~~in which~~wherein~~,~~ ~~at points of the end of the upper with concave curvature,~~ the arc length of the ~~bottom~~lower longitudinal side ~~(25)~~ of the ~~joining strip~~connecting band is made longer than the arc length of the ~~top~~upper longitudinal side ~~(23)~~ of the ~~joining strip~~connecting band at points of the end of the upper with concave curvature.

75. (currently amended) The process as claimed in ~~one of~~ claim~~s~~ 57~~ to 74~~, ~~in which~~wherein the functional layer zone ~~(20)~~ is formed by an overhang of the functional layer ~~(16)~~ with respect to the lower ~~border~~edge of the outer-material piece ~~(19)~~.

76. (currently amended) The process as claimed in ~~one of~~ claim~~s~~ 57~~ to 75~~, wherein the~~using a substantially rigid joining strip~~connecting band is substantially rigid and ~~(17),~~ ~~in which~~wherein the differences in arc length, dependent on the respective arc curvature, of the two longitudinal sides ~~(23, 25)~~ of the ~~joining strip~~connecting band are incorporated by corresponding production.

77. (currently amended) The process as claimed in claim 76, wherein the connecting band is~~using~~ a punched ~~joining strip~~connecting band ~~(17)~~.

78. (currently amended) The process as claimed in claim 76, wherein the connecting band is~~using~~ an injection-molded ~~joining strip~~connecting band ~~(17)~~.

79. (currently amended) The process as claimed in ~~one of~~ claim~~s~~ 57~~ to 75~~, wherein the ~~using an elastically extensible~~extendible ~~joining strip~~connecting band~~ (17)~~ is elastically extendible and~~, which~~ is joined on at least one of its longitudinal sides~~ (23, 25)~~ to the associated material ~~under~~while being subjected to longitudinal tensile ~~prestress~~pre-stress.

80. (currently amended) The process as claimed in~~ one of~~ claim~~s~~ 57~~ to 75~~, wherein the~~using a non-elastically extensible joining strip~~connecting band~~ (17)~~ is non-elastically extendible and ~~, which~~ is joined on at least one of its longitudinal sides~~ (23, 25)~~ to the associated material ~~under~~while being subjected to longitudinal tensile ~~prestress~~pre-stress leading to plastic deformation.

81. (currently amended) The process as claimed in~~ one of~~ claim~~s~~ 57~~ to 75, 79 and 80~~, ~~in which~~wherein the ~~bottom~~lower end of the ~~border~~edge of the functional layer is joined to the ~~bottom~~lower longitudinal side of the ~~extensible~~extendible ~~joining strip~~connecting band~~ (17)~~ ~~under~~while being subjected to longitudinal tensile ~~prestress~~pre-stress of the ~~joining strip~~connecting band~~ (17)~~ leading to elastic or non-elastic deformation.

82. (currently amended) The process as claimed in~~ one of~~ claim~~s~~ 57~~ to 81~~, wherein~~using~~ the~~a~~ ~~joining~~

~~strip~~connecting band ~~(17) which~~ is constructed comprising~~with~~ a sealing material ~~(37)~~ which can be activated by means of activation energy, selected from the forms of energy thermal energy, high-frequency energy, infrared energy and UV energy, into a temporarily liquid state.

83. (currently amended) The process as claimed in ~~one of~~ claim~~s~~ 57 ~~to 81~~, wherein~~using~~ the~~a~~ ~~joining strip~~connecting band ~~(17)~~ comprises~~consisting of~~ a material which can be melted by ~~sole material which is~~ hot-liquid sole material during the molding-on of the sole ~~(41)~~.

84. (currently amended) The process as claimed in claim 82 ~~or 83~~, wherein~~using~~ the~~a~~ ~~joining strip~~connecting band ~~(17)~~ is formed by a polyurethane strip.

85. (currently amended) The process as claimed in ~~one of~~ claim~~s 5~~ 57 ~~to 81~~, ~~using~~wherein the~~a~~ ~~porous joining strip~~connecting band ~~(17) which~~ is porous and can be penetrated by liquid sealing material ~~(37; 41)~~.

86. (currently amended) The process as claimed in ~~one of~~ claim~~s~~ 57 ~~to 81~~, ~~in which~~wherein the connecting band is a ~~gauze strip~~net band ~~is used as the joining strip (17)~~, which ~~gauze strip~~ has an ~~top~~upper longitudinal web ~~(23)~~ on its ~~top~~upper longitudinal side and a ~~bottom~~lower longitudinal web ~~(25)~~ on its ~~bottom~~lower longitudinal side, which webs are joined to each other by means of transverse webs ~~(27)~~.

87. (currently amended) The process as claimed in claim 86, ~~a gauze strip~~ ~~in which~~wherein at least the ~~bottom~~lower longitudinal web ~~(25)~~ is

constructed usingwith elastically compliant material being used.

88. (currently amended) The process as claimed in claim 86 or 87, a gauze strip in whichwherein the transverse webs (27) are constructed usingwith non-elastic material being used.

89. (currently amended) The process as claimed in one of claims 79 to 88, in whichwherein thea joining stripconnecting band (17) haswith an extensibilityextendibility of at least 20% is used.

90. (currently amended) The process as claimed in one of claims 57 to 89, in whichwherein the bottomlower end of the lining borderedge and the bottomlower longitudinal side (25) of the joining stripconnecting band (17) are joined to a string-lasting tunnel (47), which receives a lashing string (49) which is longitudinally movable in relation to the string-lasting tunnel (47), and, by lashing together of the lashing string (49), a bottomlower end region of the upper is tautenedensioned with the lining border and the joining strip (17) in the inwain the inward direction in such a way that the bottomlower end region of the upper with the lining borderedge and the joining stripconnecting band (17) runextend in the direction of the extent of a sole (41) still to be applied.

91. (currently amended) The process as claimed in one of claims 57 to 90, in whichwherein the functional layer zone (20) is sealed in a waterproof manner by a sealing material (37; 41) in a sealing material zone that runs

~~around~~extends in the peripheral direction of the end of the upper.

92. (currently amended) A process for producing footwear, ~~using~~wherein a shoe upper is used which has been produced by the process as claimed in ~~one of~~ claim~~s~~ 57~~ to 91~~.

93. (currently amended) The process as claimed in claim 92, ~~in which~~wherein there is molded onto the upper (11) a sole~~ (41)~~ made of sole material which is liquid during the molding-on and, which by penetrating through the porous ~~joining strip~~connecting band~~ (17)~~, seals in a waterproof manner at least part of the width of the functional layer zone~~ (20)~~.

94. (currently amended) The process as claimed in claim 92, ~~using~~wherein the~~a~~ sealing material~~ (37)~~ is in the form of a sealing adhesive which leads to waterproofness in the cured state and, which by penetrating through the porous ~~joining strip~~connecting band~~ (17)~~, seals in a waterproof manner at least part of the functional layer zone ~~(20)~~.

95. (currently amended) The process as claimed in claim 94, ~~using~~wherein the~~a~~ sealing material~~ (37)~~ is in the form of reactive hot-melt adhesive, which leads to waterproofness in the fully reacted state.

96. (currently amended) The process as claimed in~~ one of~~ claim~~s~~ 92~~ to 95~~, ~~in which~~wherein a ~~bottom~~lower end region of the upper is aligned in such a way that it ~~run~~extends in the direction of the extent of an outsole~~ (41)~~ still to be applied, and the

~~bottom~~lower end region of the upper is joined to an insole~~ (33)~~.

97. (currently amended) The process as claimed in claim 96, ~~in which~~wherein the joining to the insole~~ (33)~~ is achieved~~produced~~ by means of a Strobel seam~~ (35)~~.

98. (currently amended) The process as claimed in claim 96, ~~in which~~wherein the joining to the insole~~ (33)~~ is achieved~~produced~~ by means of a lasting operation using lasting cement~~ (45)~~.

99. (currently amended) The process as claimed in~~ one of~~ claim~~s~~ 92~~ to 98~~, ~~in which~~wherein a sheet-like waterproof sealing layer, which seals a ~~bottom~~lower opening of the upper as far as the sealing material zone, is applied to the underside of the end region of the upper turned back in the direction of the extent of the sole.

100. (currently amended) The process as claimed in claim 99, ~~in which~~wherein a sealing sheet~~ (39)~~ is cemented onto the underside of the insole as the sealing layer.